



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Kirt S. O'Neill
AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.
P.O. Box 12870
San Antonio TX 78212

COPY MAILED

FEB 12 2007

OFFICE OF PETITIONS

In re Application of	:	
Baird et al.	:	
Application No. 09/715,783	:	ON PETITION
Filed: November 17, 2000	:	
Attorney Docket No. 121817.001.041	:	

This is a decision on the request for reconsideration under the unintentional provisions of 37 CFR 1.137(b), filed December 1, 2006, to revive the above-identified application.

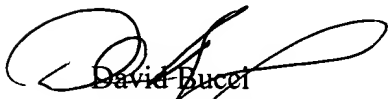
The petition is **GRANTED**.

The application became abandoned for failure to timely file a reply within the meaning of 37 CFR 1.113 to the final Office action of March 7, 2006. The proposed reply required for consideration of a petition to revive must be a Notice of Appeal (and appeal fee required by 37 CFR 41.20(b)(2), an amendment that *prima facie* places the application in condition for allowance, a Request for Continued Examination and submission (37 CFR 1.114), or the filing of a continuing application under 37 CFR 1.53(b). See MPEP 711.03(c)(III)(A)(2). A one month extension of time was obtained. Accordingly, the date of abandonment of this application is July 8, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) and fee of \$790, and the submission required by 37 CFR 1.114; (2) the petition fee of \$1500; and (3) a proper statement of unintentional delay. Accordingly, the reply to the final office action of March 7, 2006, is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to Ramesh Krishnamurthy at (571) 272-4914, or in his absence to the undersigned at (571) 272 - 7099.

This application is being referred to Technology Center AU 2623 for processing of the RCE and for appropriate action by the Examiner in the normal course of business on the amendment submitted in accordance with 37 CFR 1.114.



David Buccel
Petitions Examiner
Office of Petitions